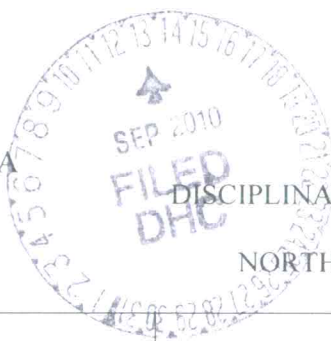


STATE OF NORTH CAROLINA

WAKE COUNTY



BEFORE THE
DISCIPLINARY HEARING COMMISSION
OF THE
NORTH CAROLINA STATE BAR
10 DHC 32

THE NORTH CAROLINA STATE BAR,

Plaintiff

v.

CHARLES M. FEAGAN, Attorney,

Defendant

COMPLAINT

Plaintiff, complaining of Defendant, alleges and says:

1. Plaintiff, the North Carolina State Bar ("Plaintiff" or "State Bar"), is a body duly organized under the laws of North Carolina and is the proper party to bring this proceeding under the authority granted it in Chapter 84 of the General Statutes of North Carolina, and the Rules and Regulations of the North Carolina State Bar (Chapter 1 of Title 27 of the North Carolina Administrative Code).

2. Defendant, Charles M. Feagan ("Feagan"), was admitted to the North Carolina State Bar on August 23, 1997, and is, and was at all times referred to herein, an attorney at law licensed to practice in North Carolina, subject to the laws of the State of North Carolina, the Rules and Regulations of the North Carolina State Bar and the Rules of Professional Conduct.

3. During all or a portion of the relevant periods referred to herein, Feagan was engaged in the private practice of law in the city of Columbus, Polk County, North Carolina.

4. In or about January 2006, Robert Stamback ("Stamback") retained Feagan for representation in a personal injury matter.

5. During the following four year period, Feagan failed to provide Stamback with status updates on his case despite repeated telephone calls requesting the same.

6. In or about early 2008, Stamback learned that Feagan had moved from his law office and was working out of his home.

7. Stamback called Feagan's new telephone number numerous times, leaving messages the few times the answering machine came on. Feagan failed to return his calls.

8. On or about April 8, 2009, Stamback was finally able to track down Feagan at the courthouse.

9. During this encounter, Feagan had no update to give Stamback regarding his case.
10. Feagan again promised Stamback a status update by the end of that week.
11. Feagan failed to provide Stamback with a status update following their April 8, 2009 encounter.
12. On April 28, 2009, Stamback sent Feagan a letter requesting that he contact him.
13. As of September 3, 2010, Feagan had failed to respond to Stamback's letter or otherwise contact Stamback.
14. On August 20, 2009, Stamback filed grievance complaint no. 09G0990 against Feagan.
15. On or about September 24, 2009, the State Bar sent a Letter of Notice to Feagan by certified mail regarding grievance file no. 09G0990. Feagan failed to accept service of the Letter of Notice.
16. On or about January 14, 2010, Feagan was served by sheriff with the Letter of Notice regarding file no. 09G0990. Feagan was required to respond to the Letter of Notice within fifteen days of receiving the letter.
20. Feagan failed to respond to the Letter of Notice within the fifteen day period as required.
21. On or about March 22, 2010, a follow-up letter was sent to Feagan requiring him to respond by April 2, 2010.
22. Feagan failed to respond to the March 22, 2010 follow-up letter.

THEREFORE, Plaintiff alleges that Defendant's foregoing actions constitute grounds for discipline pursuant to N.C. Gen. Stat. §§ 84-28(b)(2) and (b)(3) in that Defendant violated the Rules of Professional Conduct as follows:

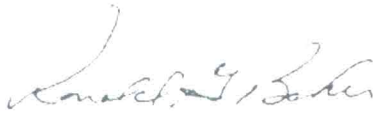
- a) By failing to pursue Stamback's legal matter for approximately four years, Feagan failed to act with reasonable diligence and promptness in representing a client in violation of Rule 1.3;
- b) By failing to timely respond to Stamback's inquiries or otherwise keep Stamback informed about the status of his case, Feagan failed to keep his client reasonably informed about the status of the matter in violation of Rule 1.4(a)(3) and failed to promptly comply with reasonable requests for information in violation of Rule 1.4(a)(4); and,
- c) By failing to respond to the State Bar's Letter of Notice regarding grievance file no. 09G0990, Feagan failed to respond as required to a lawful demand for

information from a disciplinary authority in violation of Rule 8.1(b) and N.C. Gen. Stat. § 84-28(b)(3).

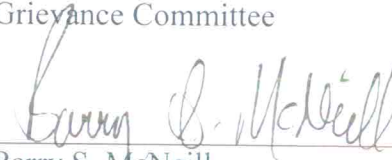
WHEREFORE, the Plaintiff prays that:

- (1) Disciplinary action be taken against Defendant in accordance with N.C. Gen. Stat. § 84-28(a) and § .0114 of the Discipline and Disability Rules of the North Carolina State Bar (27 N.C.A.C. 1B § .0114), as the evidence on hearing may warrant;
- (2) Defendant be taxed with the administrative fees and with actual costs permitted by law in connection with the proceeding; and
- (3) For such other and further relief as is appropriate.

This the 13th day of September, 2010.



Ronald G. Baker, Chair
Grievance Committee



Barry S. McNeill
Deputy Counsel
State Bar Number 8887
North Carolina State Bar
P.O. Box 25908
Raleigh, N.C. 27611
919-828-4620, Ext. 298

Attorney for Plaintiff